

Exhibit 11

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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:
BSG RESOURCES LIMITED (in
administration),
Debtor in a Foreign Proceeding.
Chapter 15
Case No.: 19-11845(SHL)
-----X

ZOOM DEPOSITION
of
PETER DRIVER
VOLUME 1

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Reported By: Melissa Gilmore

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2 move to the -- at the time, it was called BSG
3 Management Services Limited, but then changed
4 to Onyx. He then introduced me to people. And
5 I went for an interview, and it was Lisa who
6 gave me interview. And they agreed to employ
7 me.

8 I was happy to move from one job to
9 another and not to be unemployed. So I moved
10 across to -- to the Onyx office.

11 Q. Just to make sure I understood your
12 answer. I'm not sure that I heard the name
13 that you mentioned of the person that you
14 interviewed with.

15 A. Lisa, I believe her name was Lisa
16 James Holmes. I think she was director or
17 office manager at Onyx or BSG Management
18 Services at the time, now called Onyx. I'm
19 going to refer to them as Onyx, if you don't
20 mind.

21 Q. Other than Lisa, was there anyone
22 else that you interviewed with?

23 A. Not that I recall. I'm sorry. It
24 was 12 years ago.

25 Q. Yeah. You said that BSG Management

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2 Services Limited was the name of the company
3 that hired you; is that right?

4 A. Correct. Then subsequently changed
5 its name to Onyx, Onyx Financial Services.

6 Q. When did it change its name?

7 A. I do not recall.

8 Q. Do you recall why it changed its
9 name?

10 A. No. I'm not involved in that
11 process.

12 Q. You don't have any understanding of
13 why it changed its name from BSG --

14 A. No, no.

15 Q. I know that you mentioned that BSG
16 Resources, the reason that you -- they asked
17 you to come over to what we will call Onyx.

18 Was there anyone that you worked
19 with while you were at Cunico that also -- that
20 also came over with you to Onyx? Was it just
21 you that moved over from the UK office?

22 A. I think it was just me.

23 Q. And when you worked at Cunico, did
24 you -- did you work with someone by the name of
25 Dag Cramer?

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2 A. I didn't work with Dag Cramer at the
3 Onyx office. I think Dag was back then, is
4 currently now, a director of BSG Resources
5 Limited. I won't say I worked with him.

6 Q. So he wasn't working at Onyx during
7 the time that you worked there?

8 A. I believe he was at Onyx at the time
9 I worked there, but I did not work with him.

10 Q. Got it.
11 So when did you first meet him?

12 A. When I started there, I do believe
13 he was also at the same office. And I do
14 believe I did meet him when I was there.

15 Q. But what you're saying is you didn't
16 interact with him while you were there?

17 A. No, no, I don't interact with him
18 much.

19 Q. And so, again, we're going to refer
20 to it as Onyx. What was Onyx? What was its
21 business?

22 A. Do you recall I talked about De
23 Novo? De Novo is a company that provided
24 services to other companies. I believe Onyx
25 was the same -- kind of the same. It was a

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2 company that recruited qualified people and
3 also sent to the client.

4 Onyx, which was a large pool of
5 professionals being based in London and could
6 outsource them to do and assist operations
7 throughout the world. The main client is being
8 BSG Resources in Guernsey.

9 Q. So other than BSG Resources, you
10 mentioned that that was its main client.

11 What were its other clients?

12 A. I do not know these details. My
13 main concern was BSG Resources. So I did not
14 interact with the other companies.

15 Q. Were the other companies owned or
16 affiliated with Beny Steinmetz?

17 A. Not that I'm aware of. I do not
18 know. I cannot answer the question. I don't
19 know the owners of those separate companies.

20 Q. And you said that it mostly -- it's
21 main client was BSG Resources.

22 A. As far as I was aware.

23 Q. I see.

24 A. As far as I'm aware, it was. That's
25 what I was working on.

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2 who are not directors of BSGR.

3 Q. And going with the example that you
4 spoke about, you know, having -- you know,
5 having -- basically, having someone who is at
6 the group level also involved at the Octea
7 level helps ensure, like you said, that Octea
8 is thinking about what's helpful for the group
9 when it makes -- when it undertakes a strategy
10 so that it's thinking about -- I think the
11 example that you used was how to ultimately get
12 beyond the threshold and start being able to
13 pay off its debt to BSGR; is that right?

14 A. It does assist in that.

15 Q. So I think that you had mentioned
16 before that there were four employees for BSG
17 Resources Limited -- and that they were all in
18 Guernsey when you first began that role.

19 Today, how many employees does BSG
20 Resources Limited have?

21 A. Just to go back, can you repeat that
22 question? Because I believe I said one of the
23 four was employed by Real Estate and two of the
24 others, plus me, three, were BSG Resources.

25 Q. I could be wrong, but I thought

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2 that, and this is me going off my memory and

3 not looking at the transcript, I thought it was

4 David Clark, Malcolm Barnes, Gemma --

5 A. Sorry. And myself. I was

6 forgetting David Clark. I apologize. I had

7 forgotten about David Clark. Yes. Sarah Bryce

8 is in Real Estate. David Clark, Malcolm

9 Barnes, Gemma and myself were Resources.

10 Q. So that it was four, three in

11 Resources and one at Real Estate.

12 A. Correct.

13 Q. Perfect. So today, how many

14 employees --

15 A. Today, BSG Resources has got me.

16 THE COURT REPORTER: Mr. Driver, it

17 would be better if you let her finish the

18 question, please.

19 THE WITNESS: Sorry. Sorry.

20 Q. Thank you. And you were

21 anticipating my question, Mr. Driver, but for

22 Melissa, that is -- it's good to let me finish.

23 So my question as you anticipated

24 was, today, how many employees does BSG

25 Resources Limited have?

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2 A. One directly. BSG Resources has
3 myself in Guernsey. Malcolm has moved to be
4 employed directly by Ocea.

5 Q. Okay. And when did that happen?

6 A. When Ocea migrated to Guernsey,
7 Malcolm moved across the 2nd of January 2019.

8 Q. Okay. And Malcolm -- I'm sorry. Is
9 Malcolm still in Guernsey?

10 A. Yes, he is.

11 Q. Okay. So as a director of BSGR, can
12 you tell me, where are the BSG Resources
13 Limited board meetings held?

14 A. In Guernsey. The BSG Resources
15 Limited meetings are held and hosted in
16 Guernsey.

17 Q. And how many times a year does the
18 board meet?

19 A. Before or after going into
20 administration?

21 Q. Thank you, again, for that
22 clarification.

23 I'm going to ask you for both. So
24 before administration, how many times did they
25 meet and then after administration, how many

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2 times have they met?

3 A. Okay. After administration, I think
4 physically met once in November or
5 December 2018. There was a planned meeting for
6 '19. It was planned for two meetings in '19,
7 but those were postponed. And this year
8 nothing has been planned or physically possible
9 this year.

10 Before then, I believe there were
11 four meetings a year before the administration,
12 possibly more. I need to refer to my -- to my
13 physical meetings in Guernsey.

14 Other meetings were held where I
15 hosted a meeting in Guernsey by telephone and a
16 third meeting in Guernsey, but other
17 participants dialed into the conversation.

18 Q. Okay. Great. Sorry.

19 Does BSG Resources, does it own the
20 office, the building for the office that it is
21 located in?

22 A. No. BSG Resources does not own the
23 building.

24 Q. So who does own it, do you know?

25 A. An unrelated company owns the

ACKNOWLEDGMENT

STATE OF)
 :ss
COUNTY OF)

I, PETER DRIVER, hereby certify that
I have read the transcript of my testimony
taken under oath in my deposition; that the
transcript is a true, complete and correct
record of my testimony, and that the answers on
the record as given by me are true and correct.

PETER DRIVER

Signed and subscribed to before me
this _____ day of _____, ____.

Notary Public, State of _____

C E R T I F I C A T E

STATE OF NEW YORK)
:ss
COUNTY OF RICHMOND)

I, MELISSA GILMORE, a Notary Public
within and for the State of New York, do hereby
certify:

That PETER DRIVER, the witness whose
deposition is hereinbefore set forth, was duly
sworn by me and that such deposition is a true
record of the testimony given by such witness.

I further certify that I am not
related to any of the parties to this action by
blood or marriage; and that I am in no way
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 24th day of June, 2020.

MELISSA GILMORE

